

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---|---|---------------------|
| K.M., <i>et al.</i>, | : | CIVIL ACTION |
| Plaintiffs, | : | |
| | : | No. 14-2131 |
| v. | : | |
| | : | |
| CHICHESTER SCHOOL DIST. <i>et al.</i>, | : | |
| Defendants. | : | |

ORDER

This 10th day of February, 2015, upon consideration of Defendant Chichester School District's Motion to Dismiss and Plaintiffs' response, it is **ORDERED** as follows:

- I. Plaintiffs' claims against Defendants DiMarino and Stewart are **DISMISSED** by agreement of the parties.
- II. Defendants' Motion to Dismiss Count I of Plaintiffs' Complaint, alleging Defendants' failure to train or supervise caused the violation of Plaintiff K.M.'s rights is **GRANTED in part and DENIED in part**. Claims arising under the Fourth Amendment are **DISMISSED**, but claims under the Fourteenth Amendment survive.

/s/ Gerald Austin McHugh
United States District Court Judge